

## COMPARISON OF RED WOLF EXPERIMENTAL POPULATION RULES/NOTICES

Established to aid in the recovery of the Red Wolf by reestablishing a wild population.

	1986 Final Rule <sup>2</sup> (51 FR 41790)	1991 Final Rule (56 FR 56325)	1995 Final Rule (60 FR 18940)	1998 Notice (63 FR 54151)
Experimental Population Area for Red Wolves <sup>1</sup>	U.S.A. NC- Dare, Tyrrell, Hyde, Washington Cos.	U.S.A. NC- Dare, Tyrrell, Hyde, Washington Cos. + <b>Beaufort Co.</b>  <b>U.S.A. NC – Haywood, Swain, Graham, Jackson, Madison Cos.;</b> <b>U.S.A. TN – Blount, Cooke, Sevier, Monroe Cos.</b>	U.S.A. NC- Dare, Tyrrell, Hyde, Washington Cos. + Beaufort Co.  U.S.A. NC – Haywood, Swain, Graham, Jackson, Madison Cos.; U.S.A. TN – Blount, Cooke, Sevier, Monroe Cos.	Notice to terminate Great Smoky Mountains National Park reintroduction effort due to parasites, predation, disease (parvovirus); and poor nutrition due to low prey and inability due to similar factors to establish home ranges
Release site identified where recovery actions would begin	Alligator River NWR – Dare County, NC	Alligator River NWR – Dare County, NC  <b>Great Smoky Mountains National Park</b>	Alligator River NWR and <b>Pocosin Lakes NWR</b> – Dare County, NC <sup>3</sup>  Great Smoky Mountains National Park	
Timeline to monitor effectiveness of reintroduction	11/19/1991	<b>10/1/1992</b> (revised review time period since the original reintroduction was delayed 11 months)	<b>1992 monitoring report included in the 1995 Final Rule</b> (to demonstrate success and explain the need to expand sites where recovery actions would take place in the Experimental Population Area)	
General Support indicated by State in Final Rule	Yes--as long as traditional hunting and trapping on the NWR are maintained. (These have been maintained.)	Yes	Yes (provided comments on reporting requirements and take language)	

Special Rule Provisions (NC):	1986 Final Rule <sup>2</sup> (51 FR 41790)	1991 Final Rule (56 FR 56325)	1995 Final Rule (60 FR 18940)	
	Any person may take red wolves in defense of that person's own life or the lives of others (Reported immediately to NWR mgr).	Any person may take red wolves in defense of that person's own life or the lives of others (Reported immediately to NWR mgr).	Any person may take red wolves in defense of that person's own life or the lives of others (Reported <b>within 24 hours</b> to the NWR mgr).	
	Any person with a valid permit issued under 17.32 may take red wolves for educational & scientific purposes, enhancement or propagation for survival of the species; zoological exhibition, and other conservation purposes consistent the ESA and in accordance with State laws and regulations.			
	Any employee or agent of the FWS or State conservation agency when acting in the course of official duties, may take a red wolf if such action is necessary to aid a sick, injured or orphaned animal; dispose or salvage a dead species; or take an animal that is a demonstrable but non-immediate threat to human safety or is responsible for depredations or loss of personal property (if it has not been possible to eliminate such action) (Report immediately to NWR mgr.) Taking must be humane & only involve killing or injury if live capture & release unharmed on NWR is not possible.	<b>Move an animal for genetic purposes</b> (added to this provision)		
	No additional take provisions provided in the formal rule;	No additional take provisions provided		

	however, the text of the full rule preamble shares there will be no penalty for taking a red wolf where the take, incidental to an otherwise lawful activity was unavoidable, unintentional, and did not result from negligent conduct lacking reasonable due care (provided must report immediately to NWR mgr.)			
Special Rule Provisions (NC):	1986 Final Rule <sup>2</sup> (51 FR 41790)	1991 Final Rule (56 FR 56325)	1995 Final Rule (60 FR 18940)	
			<p>Private Land:</p> <p>Any person may take red wolves provided that such taking is not intentional or willful (Reported within 24 hours to NWR mgr).</p> <p>Any private landowner or any other individual having his or her permission, may take red wolves found on his or her property when the wolves are in the act of killing livestock or pets provided that fresh kills are evident (Reported within 24 hours to NWR mgr).</p> <p>Any private landowner or any other individual having his or her permission, may harass red wolves found on his or her property provided the harassment is by methods that are not lethal or physically injurious to the wolf (Reported within 24 hours to NWR mgr).</p> <p>Any private landowner may take red wolves found on his or her property after efforts by</p>	

			project personnel to capture such animals have been abandoned; provided the Service project leader has approved such actions in writing (Reported within 24 hours to Service project leader)	
			Public Land: Any person may take red wolves found on lands owned or managed by federal, state, or local government agencies provided that it is incidental to lawful activities; is unavoidable, unintentional, and not exhibiting a lack of reasonable due care (Reported within 24 hours to NWR mgr.)	
Wolves that move out of the originally described release site of the experimental population area	Will be immediately recaptured given appropriate care and will be released back to the wild on the NWR as soon as possible, unless physical or behavioral problems make it necessary to return the animal to a captive facility.	Will be immediately recaptured given appropriate care and will be released back to the wild on the NWR as soon as possible, unless physical or behavioral problems make it necessary to return the animal to a captive facility.	For wolves that move onto lands where the landowner requests their removal, will be recaptured if possible; given appropriate care; and <b>will be released back into the wild</b> as soon as possible, unless physical or behavioral problems make it necessary to return the animals to a captive facility.	

<sup>1</sup>Boundaries are identified when an experimental population is established and the entire population within these boundaries (or experimental population area) will be experimental.

<sup>2</sup>Any regulation promulgated pursuant to this section shall, to the maximum extent practicable, represent an agreement between the USFWS, the affected State and Federal agencies, and persons holding any interest in land which may be affected by the establishment of an experimental population area.

<sup>3</sup> We indicated in this final rule that efforts would be made to work with private landowners to allow wolves on private property. In addition as described at 49 FR 33885, “the Service does not believe that private lands should be summarily excluded from consideration. If

a private landowner is willing to cooperate and the site is biologically feasible, the Service believes that the site should be given full consideration.”

We have kept the public engaged and informed throughout the red wolf reintroduction efforts. This includes receiving public comment on each final rule; prebriefings with affected governmental agencies; engaging private landowners who sought to have wolves on their property; public involvement in our recovery plans, release of our 1992 program summary; seven public meetings in 1993; 3 public open houses in 1999; public comment received and peer review on our 2007 5 year review; etc.